



OLR RESEARCH REPORT

November 7, 2012

2012-R-0351

BEAR FEEDING LAWS IN THE NORTHEAST

By: Kristen L. Miller, Legislative Analyst II

This report summarizes laws that prohibit the feeding of black bears in New Jersey, New York, and the New England states.

It does not summarize state laws concerning baiting black bears for hunting or similar purposes or discuss the prohibition on feeding wildlife, including bears, in national parks ([36 C.F.R. §§ 1.3 and 2.2](#)).

SUMMARY

New Hampshire, New Jersey, New York, and Rhode Island prohibit people from feeding black bears. Connecticut, Maine, Massachusetts, and Vermont have no such restrictions.

New York and New Jersey prohibit the intentional feeding of black bears, but New York exempts certain people with black bear tracking dog licenses. Incidental feeding, including attracting black bears through garbage storage, is unlawful in New York if a prior warning was issued. New Jersey exempts unintentional feeding or feeding for management or research purposes but prohibits storing materials in ways that attract black bears known to be in the area. New Jersey and New Hampshire subject violators to a fine if they previously received a notification or warning. Rhode Island prohibits feeding black bears and leaving food where wildlife can access it, but has exceptions for scientific research or using bird feeders, among other activities.

Maximum fines for violating the laws range from \$250 (New York) to \$1,000 (New Hampshire and New Jersey). Imprisonment is also possible in New York and Rhode Island.

LAWS AGAINST BLACK BEAR FEEDING

New Hampshire

New Hampshire's Fish and Game Department regulations prohibit a person from using, placing, providing, giving, exposing, depositing, scattering, or distributing any material that results in attracting black bears if they were previously notified by the department to stop because it could cause injury to a person, property damage, or create a public nuisance ([N.H. Code Admin. R. Fis 310.01](#)).

A person who commits a violation may be sentenced to a conditional or unconditional discharge, a fine of up to \$1,000, or both (N.H. Rev. Stat. Ann. §§ [206:19-a](#) and [651:2](#)).

New Jersey

New Jersey law prohibits intentionally feeding, placing, giving, exposing, depositing, distributing, or scattering edible material or attractant to feed, attract, or entice a black bear. It also prohibits storing pet food, garbage, or other bear attractants in a way that will result in black bear feeding when bears are known to frequent the area. The law subjects a violator to a civil fine of up to \$1,000 per offense, if he or she was issued a prior written warning for the same type of offense. Each day that a violation continues is considered a separate offense. The Department of Environmental Protection may also seek an injunction to stop or prevent a violation.

The law does not apply to unintentional feeding, which is using or placing any material for a purpose other than to attract or entice black bears but results in their attraction or enticement. Attracting black bears for certain authorized management or research purposes is also exempt ([N.J. Stat. Ann. § 23:2A-14](#)).

New York

Through its fish and wildlife regulations, New York generally prohibits the deliberate, intentional feeding of black bears. It exempts people with a black bear tracking dog license under certain circumstances. Incidental or indirect feeding is also unlawful if the Department of Environmental Conservation issued a prior written warning to the person or persons directly responsible for the feeding.

Under the regulations, feeding is using, giving, placing, exposing, depositing, distributing, or scattering any material to attract at least one black bear. Incidental or indirect feeding means doing any of the above for a purpose other than attracting bears but that attracts them anyway. The regulation specifically includes storing garbage or refuse or using and storing birdseed in a way that is accessible to bears ([N.Y. Comp. Codes R. & Regs. Env'tl. Conserv. § 187.1](#)).

New York law subjects violators to a fine of up to \$250, imprisonment of up to 15 days, or both, and additional civil fines ([N.Y. Env'tl. Conserv. Law §§ 71-0919 to 71-0925](#)).

Rhode Island

Rhode Island's hunting regulations generally prohibit people from feeding black bears. They also prohibit people from leaving food where wildlife can access it. Feeding means using, placing, giving, exposing, depositing, distributing, or scattering material, or acting in a way to keep the material available, which attracts wildlife to feed on it.

The regulations provide exceptions to the prohibition on feeding black bears, such as (1) under a license or permit for scientific research; (2) by planting, harvesting, or cultivating crops or distributing food material associated with agricultural practices to livestock; (3) by distributing food material for legally owned captive wildlife; or (4) by installing an elevated bird or squirrel feeder that provides certain foods for birds or squirrels within 100 feet of a residence ([R.I. Admin Code § 25-8-33:7](#)).

Violating this provision is a misdemeanor, punishable by a fine of up to \$500, imprisonment for up to 90 days, or both ([R.I. Gen. Laws § 20-1-16](#)).

KLM:ts